Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
Office Action Summary	09/677,581	HILDRETH, DIANA G.
	Examiner	Art Unit	
	Frantzy Poinvil	3628	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) OR THIRTY (30) DAYS,
WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *8/05/05*.

2a)☒ This action is **FINAL.**   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-65* is/are pending in the application.

     4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-65* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

     a)☐ All   b)☐ Some * c)☐ None of:

       1.☐ Certified copies of the priority documents have been received.

       2.☐ Certified copies of the priority documents have been received in Application No. _____.

       3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

     * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
     Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
     Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed
> or described as set forth in section 102 of this title, if the differences between the
> subject matter sought to be patented and the prior art are such that the subject
> matter as a whole would have been obvious at the time the invention was made
> to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was
> made.

Claims 1-65 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Norris (US Patent No. 6,105,007) considered with Philip, Storms, "Using Mortgage

Credit to Achieve Client Objectives" and LendingTree.

As per claims 1 and 65, Norris discloses a system and method for allowing a user of a

user terminal to receive credit financing opportunities (see the abstract), the method comprising:

receiving credit data from the user terminal, the credit data including a user objective and a

credit profile;

determining credit financing opportunities based on the credit data and at least one

predetermined decision rule;

generating an output, the output including comparison of at least part of the credit profile with

the determined credit financing opportunities;

and providing the output to the user terminal.

The credit profile comprises at least one loan, line of credit, credit card, secured

outstanding balance, monthly or unsecured credit, bank or provider, interest rate,

payment, available line of credit, balance, term, and years remaining in access period.

As per the above noted features, applicant is directed to columns 6 and 7 of Norris.

Applicant's representative argues that Norris does not teach an output is generated which

includes a comparison of at least part of a credit profile with a determined credit financing

opportunity as recited in claims 1, 20, 39, 58 and 60.

In response, the Examiner respectfully disagrees with the applicant's representative. It is

noted that a credit profile is interpreted as any type of information related to the user at the user

terminal. Part of a credit profile may be the user's name, income, payment terms and conditions

related to the user applying for the financing opportunities. The determined credit opportunities

are the interest rates and the amount available for the user to borrow.

As per argument that Norris does not include a comparison, it is noted that the claims are

not positively reciting performing a comparison. Only the result or output of a comparison is

being claimed. Such an output may be outputting the credit profile of the user with the loan

amount available to the user.

This teaching is clearly taught by Norris. Note columns 6 and 7 and particularly, column

8, line 56 to column 9, line 3 of Norris.

Applicant's representative argues that Norris failed to teach or suggest "the credit profile

comprises at least one particular of any number of financial products held by the user " and

"wherein the at least one credit financing opportunity comprises any number of financial

products that meet the user objective" as now introduced in the independent claims.

In response, Norris is directed to an automated loan system whereby a user accesses a terminal and requests a loan. Aspects of credit profiles and the provision of at least one credit financing opportunity comprising any number of financial products that meet the user objective are not explicitly taught by Norris. A user's objective is   usually taken in consideration when trying to obtain credit financing. Philip Storms discusses in an article entitled "Using Mortgage Credit to Achieve Client Objectives" that in providing a loan to a client, the client's profile must be analyzed and a more appropriate credit financing meeting the client's objective must be considered and chosen. See the article. LendingTree further teaches means or steps for determining at least one credit financing opportunity based on the credit data at least one predetermined decision rule wherein at least one credit financing opportunity comprises any number of financial products that meet the user objective. See the entire article.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teachings provided by Philip Storms and LendingTree into the system of Norris in order to allow the system to tailor credit financing opportunities based on specific needs of a customer.

As per claim 2, Norris discloses the method including receiving a request from the user terminal to apply for a determined credit opportunity (column 6, lines 13-44).

As per claim 3, Norris discloses the credit profile is comprised of at least one user credit data element, the at least one user credit data element identifying one or more characteristics of corresponding financing previously undertaken by the user (column 6, lines 45-47 and column 9, lines 38-40).

As per claim 4, Norris discloses generating the output includes generating a first level output and generating a second level output (column 6, lines 54-64 and column 8, lines 56-67).

As per claim 5, Norris discloses the first level output includes one or more comparisons determined credit opportunity with a respective one of the at least one user credit data elements (column 7, lines 10-37).

As per claim 6, Norris discloses there are a plurality of credit data elements and the second output includes one or more comparisons of a determined credit opportunity with the plurality of user credit data elements (column 7, lines 10-37).

As per claim 7, Norris discloses a summary of the user profile data (column 8, lines 56-67 and column 6, lines 54-64).

As per claim 8, Norris discloses the at least one user credit data element includes an interest rate, an outstanding balance and a monthly payment (column 6, lines 45-46) as these information are obtained from a credit bureau.

As per claim 9, Norris discloses the at least one user credit data element further includes an identification of whether the corresponding credit data element was issued by a provider of the financing opportunities (as these information are obtained from the credit bureau and or provided by the loan applicant).

As per claim 10, Norris discloses the at least one user credit data element corresponds to at least one credit card, a vehicle loan, secured debt, an unsecured debt, home equity loan and a residential mortgage (column 6, lines 45-46).

As per claim 11, Norris discloses the summary includes at least one summary area corresponding to one of the user's credit cards, personal lines of credit, personal loans, home

equity lines of credit, auto loans, unsecured credit and total outstanding credit (see column 8, lines 56-67).

As per claim 12, Norris discloses the user data further includes personal data corresponding to the user and further including the act of obtaining credit worthiness report based on the personal data (column 6, lines 29-46).

As per claim 13, Norris disclose determining credit financing opportunities includes consideration of the credit worthiness of the corresponding user (column 6, lines 45-64).

Claims 20-32 and 39-52 are directed to a computer storage medium storing computer executable instructions which when executed perform the functions found in claims 1-13. It is noted that Norris is a computer system and contains storage means and a processor for performing the functions recited in claims 1-13. Thus, claims 20-32 and 39-52 are rejected under a similar rationale applied to claims 1-13 above.

As per claims 15, 34 and 54, Norris discloses the user profile data includes a state of residence and wherein the predetermined decision rules include consideration of the state residence and current interest rates for potential financing opportunities (column 6, lines 29-44).

The combined teachings of Norris, Philip Storms and LendingTree are discussed above. As per claims 16-17, 35-36 and 55-56, the combination does not explicitly teach including receiving a request for detailed information corresponding to a selected one of the financing opportunities and wherein at least a part of the output is provided a substantially pictorial form and wherein the pictorial form includes at least one of a graph and a pie chart. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify

Norris, Philip Storms and LendingTree to include such a feature in order to provide loan

applicants with detailed information they can analyze at a glance.

As per claims 18, 37 and 57, the combined teachings of Norris, Philip Storms and

LendingTree are discussed above. The combination does not explicitly teach the predetermined

decision rules further consider the user's taxation rate in determining viable credit opportunities.

Considering a user's taxation rate in determining credit opportunities would have been obvious

to one of ordinary skill in the art in order to determine the true value that a user is qualified for

especially if the loan is for a home in which the tax may be excessively high.

As per claims 19 and 38, the combined teachings of Norris, Philip Storms and

LendingTree are discussed above. The combination does not explicitly teach preparing a list of

potential financing opportunities at least partially based on opportunity data received from at

least one product processor, and wherein the determined financing opportunities are selected

from the prepared list. Preparing such a list would have been obvious to one of ordinary skill in

the art in the combination above in order to show all types of loan an applicant is qualified to

apply for.

As per claim 58, Norris discloses a method for allowing a user of a user terminal to apply

for a credit financing opportunity via a communication network, the method comprising:

Receiving <u>credit data</u> from the user terminal, the <u>credit data including a</u> user objective

indicating that the user wishes to obtain credit and <u>a credit profile</u> (column 6, lines 6-44);

<u>Determining potential financing products based at least in part of the credit data</u>

(column 7, lines 38-47);

Providing a list of the determined potential financing products to the user terminal and a

comparison of at least part of the credit profile with the determined potential financing products

(Column 8, lines 42-67). A comparison of the credit profile with the determined potential

financing products is the result of the loan data displayed to the loan applicant.

As per these limitations, applicant is directed to column 6lines 13-64 of Norris.

Norris is directed to an automated loan system whereby a user accesses a terminal and requests a

loan. Aspects of credit profiles and the provision of at least one credit financing opportunity

comprising any number of financial products that meet the user objective are not explicitly

taught by Norris. A user's objective is   usually taken in consideration when trying to obtain

credit financing. Philip Storms discusses in an article entitled "Using Mortgage Credit to

Achieve Client Objectives" that in providing a loan to a client, the client's profile must be

analyzed and a more appropriate credit financing meeting the client's objective must be

considered and chosen. See the article. LendingTree further teaches means or steps for

determining at least one credit financing opportunity based on the credit data at least one

predetermined decision rule wherein at least one credit financing opportunity comprises any

number of financial products that meet the user objective. See the entire article.

It would have been obvious to one of ordinary skill in the art at the time the invention

was made to incorporate the teachings provided by Philip Storms and LendingTree into the

system of Norris in order to allow the system to tailor credit financing opportunities based on

specific needs of a customer.

As per claim 60, Norris discloses a method for allowing a user of a terminal to receive

optimized information regarding a selected topic, the method comprising :

Determining optimized information based on results of applying at least one predetermined decision rule to the operation data, the user objective <u>and current usage profile.</u> As per this feature, applicant is directed to column 6, lines 6-44 of Norris and the teachings of Philip Storms and LendingTree.

Generating an output including a comparison of at least part of the current usage profile with the determined optimized information. As per this feature, applicant is directed to column 8, lines 42-67 of Norris, and the teaching of Philip Storms.

As per these limitations, applicant is referred to column 6, line 13 to column 7, line 53.

Aspects of credit profiles and the provision of at least one credit financing opportunity comprising any number of financial products that meet the user objective are not explicitly taught by Norris. A user's objective is usually taken in consideration when trying to obtain credit financing. Philip Storms discusses in an article entitled "Using Mortgage Credit to Achieve Client Objectives" that in providing a loan to a client, the client's profile must be analyzed and a more appropriate credit financing meeting the client's objective must be considered and chosen. See the article. LendingTree further teaches means or steps for determining at least one credit financing opportunity based on the credit data at least one predetermined decision rule wherein at least one credit financing opportunity comprises any number of financial products that meet the user objective. See the entire article.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teachings provided by Philip Storms and LendingTree into the system of Norris in order to allow the system to tailor credit financing opportunities based on specific needs of a customer.

As per claim 61, the knowledge base is connected to an electronic network. See figure 1 of Norris.

As per claim 62, the output includes links to at least one other electronic site (column 9, lines 47-60).

As per claim 63, querying at least one search engine concerning the input data and processing the results of the querying of at least one search engine (see column 6, line 13 to column 7, line 53).

As per claim 64, Norris discloses the output includes a list of the optimized information to the user terminal. See column 8, lines 56-67.

As per claim 59, Norris discloses providing a loan to applicants. The combined teachings specify the type of loans include: vehicle loans, education loans, home improvement loans, medical loans, large event loans and vacation loans.

As per claims 14, 33 and 53, Philip Storms disclose the credit opportunity is considered viable if is determined in the determining act that the user will save least a predetermined amount of money during a predetermined time period.

2.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the mailing

date of this final action.

Conclusion

3.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Frantzy Poinvil whose telephone number is (703) 305-9779. The

examiner can normally be reached on Monday-Thursday.

The fax phone number for the organization where this application or proceeding is

assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Frantzy Poinvil
Primary Examiner
Art Unit 3628

FP
October 20, 2005